2; Skrefsrud M-5 (1870-1871) 1942 AW42 Santal AW42

585 the village people together. An elder sister of the bridegroom, or if there is no such one, then a younger sister, acts as conductress of ceremonies in the bridegroom's home. In the same way as they drew paintings at the marriage-shed post in the bride's home, so she also paints in the same way; but she does not finish painting, until the father of the bridegroom promises to give her a calf.

The anointing girls now take the bride and the bridegroom into the house and make them sit down on a mat, and together with them the best-man, his follower, the duenna, and the conductress of ceremonies sit down. The anointing girls anoint them with oil and turmaric; however, the mother of the bridegroom first anoints them; when she has made way for them, the anointing girls anoint them. When the anointing is finished, the conductress, i. e., the wife of the best-man, ties the ends of the clothes of the bride and the bridegroom together. Thereupon they give them all food. At this time the bride will not eat, and when they ask her, she does not speak. The father of the bridegroom then says [606] to her: Please eat, daughter-in-law, I shall give you a calf to get milk to eat. Then she eats. When they have had food, they get up.

Now the conductress, with a loṭa with water in her hand, conducts them out to the marriage-shed post. The duenna of the bride's side also is with them. Where they have made drawings, there they walk three times round, and the lady conductor also pours out the water in the loṭa all around over the place. The anointing girls now spread mats over the drawings; thereupon the bride and the bridegroom and their followers sit down on these. Then, as they acted when performing the waving ceremony in the bride's home, in the same way they also act in the bridegroom's home. All the women of the village give them, when performing the waving ceremony, wristlets, necklaces, rings, money. But the brothers of the bride do not give them anything. The brothers of the bride and all the village people drink beer during the waving ceremony. The beer is finished, and the waving ceremony is also ended. The younger sister of the bridegroom washes their feet, and at this time she catches hold of the bride's leg. The mother of the bridegroom then asks the duenna: How did you act at the bride's place? She says to her: We took one anna in money. The mother of the bridegroom then says: In that case let her loose. The duenna then gives her who has caught hold of the leg one anna, and she sets her free; thereupon the two salute each other. All stand up, and having gone round three times the bride and the bridegroom and their followers go inside the house.

The Jog Mâjhi then says: Come at once here, you the father of the bridegroom, here to the house. With a couple of men he goes inside. The mother of the bridegroom calls the wife of the village headman and a couple of women and takes them inside. Thereupon, looking at the money, the brass necklets, and the different things that fell down at the waving ceremony, they count them. They give all this over in charge to the mother of the bridegroom. And they who give it in charge get beer.

2: Skrefsrud M-5 (1870-1871) 1942 AW42 Santal AW42

IV. WHEN A MARRIED SON LIVES IN THE HOUSE OF HIS FATHER

a. Brothers living together.

Santals do not at once, when getting married, set up separate households; they stay in the house of the man's parents. If a man moves away to live in the house of his father-in-law, they blame him very much, and such a man will not afterwards get any share of the inheritance. Some people will, because they are annoyed beyond sufferance, perform the final funeral ceremonies for such a son. Nowadays a few men will give them a share of the original property; but this is only a favour; formerly they had no right to this. 428 591

Until the father makes his sons set up separate households, they work together, eat together. The parents of the young men look upon their daughters-in-law as their own daughters. Among his sons the father will love the oldest son most, provided he is good, and the mother will love her youngest child most. The young men with their wives honour their uncles and aunts like their own parents, and these look upon them as their own children. 591 593 606 604

The father guides, instructs and tutors his sons, and the mother does the same with her daughters-in-law and daughters. The younger daughters-in-law address the elder daughters-in-law as elder sisters and obey their word like that of their mother-in-law; the elder daughters-in-law address the younger ones, saying "girl" to them, and look upon them as younger sisters. When the parents have lost their strength, the eldest son and the eldest daughter-in-law manage the household, and they have to stand up when the young ones misbehave or commit any fault. If the elder ones while living let the younger ones manage, awful quarrelings arise. The old man mostly scolds his wife if the work and business don't go well, and now and then he will also upbraid his sons, but never his daughters-in-law. Those who really start quarrels, are the mothers-in-law and daughters-in-law, and the wives of the brothers, and through their quarrels brothers also become enemies. Santals say: "A mother-in-law, a bitter pumpkin, not tasty"; "a daughter-in-law, plugged ears, they don't hear"; "a daughter-in-law, a python snake, dragging themselves along, they do not move". Of the husbands of daughters they say: "A daughter's husband, crooked firewood, will be still more crooked"; "Another's child, a forest fowl, they will not become one's own". 593 606 607 [539]

An elder brother's wife and the younger brothers and sisters of her husband are great friends; they do not quarrel. Girls tell the wife of their elder brother everything, both 607

31 Mukherjea O. Y-4,5 (ca. 1933-1939) 1962
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4. Maternal uncle

In ceremonial functions, the maternal uncle takes the place of the guardian of the house, if the father or the brothers be dead. Thus the father stands first, next the paternal uncle, the maternal uncle holds the third place. The maternal uncle gets a marriage-present called *mama pòn* (bride-price, to be paid to the maternal uncle in case the father is not living).

5. Son-in-law

During certain *pujas*, the son-in-law of the family sacrifices goats, and during marriages he holds the basket of the bride (*dàuṛà*).[1]

As regards the mutual behaviour of relations, the Santals do not very much differ from the Hindus. Thus the mother is respected just according to Hindu ideologies. The brothers have friendly and fraternal feelings, and sisters are affectionately treated. The wife respects her husband like her lord. They have a folk-song which will illustrate the point further :—

Niṅgàñ nàpuñ sàri cando barabàri
Gateñ tuluc' tòkòe barabarik';

1. Bàhu dàuṛà = A specially large basket in which a bride is raised shoulder high at the time the bride-groom applies the red-paint (sindur) to her forehead, Dr. Campbell's Dictionary, p. 139.

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623 without them are unthinkable to the Santal.
622 Similarly, when a man wants to accept a "ghàrdi
[606] jànwanc" (domesticated son-in-law, if such a term is permissible), he calls in the village-assembly and informs them orally about his intention.

623 Besides, the Headman deals with breaches of all
622 social taboos by the Santals under his jurisdiction.
692 Thus, a woman getting upon a thatch, or taking
688 to the plough, a man sprinkling water on his elder sister-in-law on the conclusion of the flower-festival or a woman on her husband's elder brother and *vice versa*, are called upon by the Headman and his jury to answer the serious charges, thought to affect the well-being of the tribe and receive their proper share of punishment and a ceremonial purification before restoration to the tribal fold. There are various ways of such expiation as we shall see later on in course of this chapter; elaborate processes being gone through to cleanse the erring member
622 from his or her sin. The Headman and his council
623 are also the custodians of Santal customary laws in
692 the first instance, only they lack jurisdiction to try offences against the tribal totems. They have seisin even over crimes against the marriage law or forbidden degrees in sexual congress, if they are of a lighter nature, the natural venue of such trials being the higher courts as we shall soon see.

3t Mukherjea O. Y-4, 5 (ca. 1933-1939) 1902
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428 177 [671] [692] lawsuits, and even if he does rarely, he fails miserably to establish it.

So in the domain of partition and inheritance, we find that the sons share equally, the daughter succeeds when there is no son to the man who dies. The widowed mother has her rights of maintenance recognised at the hands of her sons. The sonless widow becomes the sole proprietor, and like the *Mitakshòra* widow, cannot alienate property without legal necessity.

Adoption (Pushapo)

597 The Santal who has no son can adopt a son in Mayurbhanj. The adopted son is generally a relation and rarely unrelated. The adoption is made in the presence of the Headman and the Panchayet. Now, occasionally, proceedings are recorded in writing, but previously everything was oral. The devolution of [177] [428] property follows the *Mitakshòra* branch of Hindu law.

Ghar-Jamai

428 184 606 As in the Santal Parganas, the Santals of Mayurbhanj have the custom of providing for their daughters through the institution known as "domesticated son-in-law" (Ghar Janwane or Ghardi Janwane: there is however a subtle difference between the two). His rights here are essentially the same as 428 606 in S. P. So if there be a son, and such a son-in-law

3t Mukherjea O. Y-4,5 (ca. 1933-1939) 1962
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to a man, on the death of the man, such a domesticated daughter's husband has no rights. If a Santal dies leaving such a son-in-law who again loses his wife, the property goes to the agnates of his father-in-law. 428 606

Partition

Partitions, in Mayurbhanj, follow the *Mitakshòra* branch of Hindu law, but the parties to a partition, in most cases, voluntarily allow a bigger share to the eldest brother or to his heirs, as *Iyasthangshò* (the share of the eldest brother). 428 [177]

Legal status of Santal women 562

In Mayurbhanj: The legal status enjoyed by Santal women in Mayurbhanj can be described as follows:—

(1) If a married man has no child, he can marry again according to Santal customary law. Bride-price is paid in both cases. [587] [583]

(2) If a man has more than one wife, even if some of them might be called *rakhni* (mistress, lit. a kept woman) they inherit equally. [595] [428]

(3) A man can marry as many wives as he likes, but a woman cannot have more than one husband at a time. [595]

(4) *Punchayets* as well as law-courts will give relief to the wife, even if called "*rakhni*," who is deserted by her husband or not given maintenance. [586] [736]

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is not far to seek. The Santal tenant has, as a member of his tribe, certain duties religious and social, but the woman for the reason of her sex, is not allowed to perform them. 562 423

But we have human feelings to count. There are fond fathers who want their daughters to be provided with lands, and there are others who may have no sons but only daughters. In the latter case all the lands of the deceased Santal tenant will go to the next of his kin. An interesting method has long existed in Santal customary law to get rid of this position for providing the daughter with lands. 562 423 428

Such a father gives his daughter in marriage to a *ghardi jawane* (domesticated son-in-law). He is a son-in-law invested with the position of a son of the family. He does not pay for his bride in cash. He serves it out in the house of his father-in-law, and thus pays by his work, generally for a period of five years. On the expiry of this term, he is free to leave his father-in-law's house. 562 423 428 606 [583]

The son-in-law in this case is not allowed by tribal customs to anything but his wife. After the death of his parents-in-law, he is not himself the inheritor. He is, in the eye of law and fact, merely the conduit-pipe for the provision of the children of the marriage. He does not become an heir by the mere fact of marriage. If it is intended that the *ghardi jawane* will inherit, this has got to be speci-

3t Mukherjea O. Y-4, 5 (ca. 1933-1939) 1962
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562 423 428 606 fically arranged at the time of marriage by a public declaration, which has all the force of an oral will.

As a matter of fact, it is the daughter who inherits. The *ghardi jan*wane is the representative as tenant and owner of the woman in the eye of tribal law, who has no rights of inheritance recognised for her. This position will be still more clear when we remember that if the *ghardi jan*wane leaves his father-in-law's protection, his rights in his father-in-law's lands melt away for ever. And never has his own relatives any right to his so-called inheritance. The children of the marriage are the only beneficiaries. In case the *ghardi jan*wane's wife [671] dies, the tribal customs generally allow him a life-interest only, provided he does not remarry. This legal fiction was created by Santal customary law to provide lands for daughters; because, as women, they cannot perform certain social and religious duties which only men can perform.

562 423 428 178 But times are changing. So we find in many cases the Settlement courts have recorded daughters as *raiyats* in agricultural lands, and provided them with a life-tenure; and reformist Santal associations are trying for the recognition of the rights of inheritance of married Santal girls.

736 671 423 422 But the lot of the widow in the Santal customary law is the hardest. She is not entitled to any land, although she may own personal property, either in her father's home or in her husband's.

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that tattoo marks are not merely a body-decoration. They are as much necessary to women, as cicatrization (or sika) to Santal men. Should a woman be without her tattoo-signs, her mother-in-law will refuse to accept her as a daughter of the house; and should such a woman die, before she was ceremonially given these marks, *Iòm Raja* (god of death) will take her to be impure and punish her in Hell. That the Santals consider tattooing as a social and religious necessity, and its omission an offence, cannot be contested in view of the wide prevalence of the custom through the length and breadth of the Santal areas.

Conclusion

In course of the preceding pages, we have noticed the "Rites de passage", the ceremonies and rituals attendant on child-birth, cicatrization of men and tattooing of women. The various formalities with which the new-born babe is ushered into the society have their own meaning. The society, that has an economic background, built up an elaborate clan-life, singularly homogeneous in its totality and component parts. It organised a social constitution for orderly existence and propagation of the species from biological instincts. So, when a new-comer is on the threshold of the tribe, steps are taken to protect him from unknown and supernatural dangers.

4: Biswas D, E-3, 4 (1931-1945) 1956
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596 and grandchildren, which is equivalent to the Hindu "Joint family". The Maori calls it "Whanau" (meaning extended family or family group) which corresponds to the German "Gross familie".

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[614] The family is broken up by marriage when the daughters by the law of exogamy go to another clan. Up to the time of their marriage the daughters are the property of their fathers or the nearest male relatives (if the father is dead), who take charge of them ; when married, they come under control of the family of their husbands (with these as their immediate lords and masters) and this they continue to be so long as there is any one who has a right over them. If such a state [734] ceases, they have no longer any locus standi ; they revert to their original relatives, if they are alive or become sort of guardianless minors, if none such exist they become utterly destitute except for what people may give them or what they may be able to earn through their work. It can be seen that the sons sometimese stablish their own home, when they have got their own family. But ordinarily the sons with their wives live with their father and mother.

591 **Ghardi-Jawae :** There is a third type, in which
583 the son-in-law is taken as a son in the father-in-law's
• 606 family. If in a Santal family there is no son but only a daughter, they marry their daughter off and give the son-in-law the position of a son, provided he lives with his father-in-law. If in a family there are grown-up daughters and minor sons, the son-in-law works for his father-in-law without wages for five years. He then gets two buffaloes, some rice and some agricultural

4: Biswas D, E-3, 4 (1931-1945) 1956
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implements, and sets up a house for himself and his wife. This sort of son-in-law is called Ghardi-jawae.

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Family not Polyandrous: In the individual family the father is the *pater familias*, whereas in the other type the grandfather or any senior male member is head in every respect; other members, however senior they may be in age, must remain under his authority. In the Santal family all the brothers marry different wives (monogamous) which can be verified from the genealogical trees of the different Santal families. It is not like the normal Toda family which consists of a number of brothers—brothers with one wife, and each house belongs to a family of this kind and is handed on to the children of the brothers (Rivers' Toda, p. 559).

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There are no different terms of kinship for the father, father's brother, as also for mother and father's brother's wife which would not have happened, if there had been polyandry—

(Toda)	Father	... ...	In (ala).
,,	Father's brother	...	,,
,,	Mother	...	Av (ava)
,,	Father's brother's wife	...	,,

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A consideration of terms of kinship of the Santals side by side with that of the Todas shows that the terminology of the Santals is cast in the same way as amongst the Todas. The terms for father and the father's brother are the same, the only difference being marked by the addition of descriptive words like Gongo (elder) or Hopen (younger); so also the terms for

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The organization which binds groups of villages together is loose by comparison with the village system. The Santals distinguish between the various sections of the country in which their villages are situated, calling them *parganas*. Each *pargana* has a distinctive name, which may be either the name of a village situated within its borders or a general name. Over each of the *parganas* a *parganath* is supposed to have jurisdiction. McAlpin's report, the result of an inquiry instituted by the Bengal Government which led to the Tenancy Amendment Act of 1918, in addition to its main purpose of suggesting measures for the protection of Santal lands, dealt also with the condition of the Santal village system. McAlpin reported that the *pargana* system was far gone in decay, and it is not possible to question his conclusion. Binu Hâsdâk' of Tantidanga, late *parganath* of the Sarenga area, was typical of his class. His mind was well stored with the customary law of the tribe, and from time to time he was called in by nearby villages to help more particularly with disputes arising out of marriage tangles. He was personally popular and had some prestige as the possessor of valuable remedies against sickness, but on his own confession his authority was of a very limited kind. "What can I do", he once said, "unless the people of the village are agreed?" There is the crux of the situation; in the village, public opinion is a wellnigh irresistible force. Binu used, nevertheless, to go happily about his errands, for among other advantages which accrued he received a fee amounting to one rupee four annas when a guilty party was fined.

Kinship ties share with the well-knit village system the governance of the Santal's daily life, regulating his relationships with his fellows. The tribe is divided into clans, and each clan is again divided into sub-clans. The clan descends through the father, and when girls marry they are taken into the clans of their husbands. The clans have a totemistic basis and they are exogamous. Land is conceived of as belonging to the clan. Although individual and family ownership is now the rule, Santals will not countenance the transfer of land from one clan to another. The one exception for which allowance is made has been forced on them by economic necessity; it occurs in the case of a man without sons who brings his daughter's husband into his own house to carry on the cultivation, the son-in-law thereby acquiring rights in the property for descendants. The rights conferred by Hindu personal law on daughters in the property of their fathers or on wives in the property of their

and in fact it is used extensively as a storeroom, particularly for stacking the bundles of reserve rice. Any man may pass through this opening, but no woman may do so unless she belongs to the family living there. The daughters of the house are debarred from going into the *bhitar* after they have married. After marriage a woman belongs to her husband's family, and this prohibition is one of several that are enforced with a view to ensuring that she shall not bring calamity on her husband's house by continuing to have dealings with the spirits of her father's home. She has to remove herself from their influence. Within the *bhitar* dwells the house spirit, and it is also visited by the ancestors of the family. There offerings of food and beer are made to the immediate ancestors. In certain instances sub-clan sacrifices are made in this inner room. The names of the spirits to whom the sub-clan sacrifices are made are kept secret. The knowledge of these names is handed down within each family from the father to the eldest son or other heir, and under no circumstances should it be imparted to others. An instance was reported of a man who was in deep distress because his father had died without his having had an opportunity of learning the name of the *abge*, as this spirit is called. He hoped to learn the name from one of his father's brothers, but this person also died before he could pass on the information. Shortly afterwards his dead uncle appeared to him in a dream and revealed the name, and he confirmed the correctness of the information by visiting yet another uncle who knew the secret. This story shows that the rules of silence are not too strictly observed within the family circle. Women are not allowed to learn the name, and in most cases they are excluded from participating in the sacrificial meal. The same prohibition applies to sons-in-law, though one of the Soren sub-clans is allowed to leave a portion of the food from the meal for their sons-in-law. When they summon them to eat, however, they address them as they would the household dogs, which emphasizes their separation from the family and from the sub-clan.

Some features of the Santal cult, as well as an indication of the ways in which it may develop, can be illustrated by a description of the shrine that stands on the outskirts of the village of Sarenga. This village was at first a Santal settlement, but it is now a place of nearly two thousand inhabitants, most of whom are Bengali Hindus. The present-day Santal inhabitants number barely one hundred, but amongst them are some who claim descent from the founders of the village, who lived,

so they say, nine generations ago.

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585 If the distance between the two villages be great, the party of the bridegroom will have arrived on the outskirts of the bride's village on that evening and are accommodated in a special shelter for the night. They do not enter the village, but at the first sign of approaching morning the go-between comes from the bridegroom's camp, bringing with him a small quantity of the oil and turmeric left over from the bridegroom's anointing, and with this the bride is once more anointed.

585 574 [624] Meanwhile the bridegroom's party make ready to approach the bride's house. The *jogmāṇjhi* and *godet*[1] of the village meet them at the end of the village street, where they are asked to wait awhile. Mats are placed for them to sit on and they are given tobacco to smoke. The bridegroom's party always enter a village from the west end and leave from the east end. The officials who greet the party are accompanied by a band of young folk from the village who sing and dance and who in the course of their songs make insulting remarks about the bridegroom and the village from which he comes. These insults are expected and have to be accepted in good part. When they at length set out for the bride's house, the bridegroom is carried by a woman who lifts him and carries him on her hip as she would a child. On first arriving at the bride's home, some of her friends pretend that the bridegroom is not properly groomed, so they proceed to shave him again with a leaf for a mirror and a rough piece of wood for a razor. When he greets his future father-in-law he places a necklace round his neck while his father-in-law winds a turban cloth round his head, after which they sprinkle water over each other with a spray of mango leaves. They exchange *pan*[1] and embrace each other. When the bride is brought out of the house she is carried in the same way as the bridegroom, and first of all they sprinkle sun-dried rice over each other (this is called "sowing" the rice), and follow it by sprinkling water with the sprays of mango leaves. The bride is seated in a basket and made to face the west, while the bridegroom faces towards the east. Then he takes from a small wooden box that is wrapped in his waistband the vermilion which he proceeds to place on the bride's head, and as he does so the assembled company make the air resound with shouts of "*Horibol*". This is sheer Hinduism, for it is the invocation of Hari, one of the names of Vishnu the Saviour. The bridegroom helps the bride down from the basket, places an

•[606] [276] 585 [177]

[1] The leaf of the *Piper betle*, i.e., rolled with lime, the nut of the areca palm and other spices wrapped inside it. Rarely eaten by Santals except on ceremonial occasions, but very generally used by others in Bengal.

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law", comes to live there. This arrangement is common to all agricultural communities in Bengal. Among the Santals no bride price has to be paid, and in some instances the marriage ceremony is postponed till the end of a trial period during which the youth lives in the home of his future father-in-law and works for him without wages. He is accepted as the girl's husband when he is known to be a good worker, and thereby he also establishes his claim to receiving a portion of the land when his father-in-law dies. He does not change his clan, for this he cannot do, but he and his heirs can inherit from his wife's father. Hence this form of marriage furnishes the only exception to the rule that land must not pass out of the possession of the clan.

The term for divorce comes from the symbolic act that accompanies it. It is *sakam orec'*, or "leaf tearing". There are two sufficient reasons for a man to divorce his wife. The first is infidelity and the second is witchcraft. As marriage is a contract that involves two villages, representatives of both villages are summoned to sanction the divorce. The bride's father is compelled to return the bride price and the husband makes formal declaration of the divorce. He takes a *sarjom* leaf between his hands and tears it down the centre in token of the dissolution of the marriage tie. Then he has to provide a meal for those who have been summoned to the council. Owing to the fact that the bride price has to be repaid to the husband's family, the parents of the bride frequently object to the action, and where the guilt of the wife requires to be proved the proceedings may drag on for several months. If her parents can show that some blame attaches to the husband they can retain the bride price, and this they usually wish to do even when they do not desire their daughter to be reinstated in her husband's home. Until the bride price has been repaid the formal dissolution cannot take place.

A wife cannot formally divorce her husband, but she can, and sometimes does, refuse to continue to live with him. The problem of the runaway wife is one that is continually exercising the Santal village community, a fact that suggests the existence of many underlying strains. The mother-in-law is frequently blamed. In one family well known to me the wife of the younger son ran to her own home during the cultivation season in several successive years. At that time her presence was greatly needed to help with the fields, and she asserted her rights by running away. *Her own explanation* was that her mother-in-law made her work too hard and did not give her enough to eat. She remained with her own parents, who were not unwilling to feed

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586 her while she could be of service to them, but would return her
[606] to her husband after a lapse of two or three months. They settled down to normal married life after the mother-in-law had become aged and enfeebled by rheumatism. Sometimes a wife who suffers from continuous fever refuses to stay in her husband's home, and if there are other causes of discontent her refusal may become permanent, in which case her father has to return the bride price and she becomes free to marry elsewhere.

684 Although the standards of Santal morality allow for a wide variety of sexual behaviour, once those standards have been flouted society can be fiercely intolerant. In the spring of 1939 a daughter of the village priest at Barikul who was married to a "house son-in-law" was discovered in the act of having sexual intercourse with a young man of the same village in the adjoining forest. There was some delay in taking action, for the headman from the aggrieved husband's village was asked to attend the council. The elders meanwhile extorted a preliminary fine of ten rupees from the guilty man, at which the young men were enraged. One of them said: "When we are guilty of small faults you fine us five rupees; in future you should take only five annas from us." When the council met, the amount of the fine was raised to sixty rupees. This was raised within two hours by the man selling all the livestock that he possessed. Of this sum, five rupees was for the villagers of Barikul, five rupees for the fellow villagers of the aggrieved husband, and the balance was paid to the aggrieved husband to enable him to find another wife. He was also allowed to collect from the home certain things that he had earned while living there—a spade, an axe and the
[586] brass cooking utensils. Ordinarily when a home is broken up such
[587] things are divided between the husband and the wife. On the same evening a party of the villagers accompanied him to a neighbouring village and completed a marriage ceremony for him with a new wife. Most of the usual formalities were omitted, but a bride price was paid and the marriage sealed. The guilty man was required to take the wife into his own home, but when next day the villagers found that this had not been done they went to the priest's home, where they found the young woman lying on the floor seriously ill. In spite of her condition, they took her down to her paramour's home, only to be met by his irate wife and mother brandishing axes. She was taken back to her own home and the council was again summoned. The elders by
[762] now had become seriously alarmed by the possibility of violence, and were relieved rather than otherwise when word was brought